

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA**

| | | |
|-----------------------|---|---------------------|
| MICHAEL K JOHNSON, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | 1:12-cv-954 TWP-MJD |
| |) | |
| JUDGE LISA F. BORGES, |) | |
| |) | |
| Defendant. |) | |

Entry and Order Dismissing Action

I.

The request to proceed *in forma pauperis* [Dkt. 2] is **granted**.

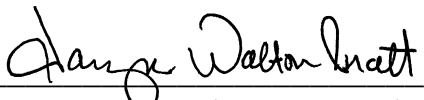
The plaintiff sues a state judge for rulings made in the course of proceedings in which the plaintiff is involved. The plaintiff seeks two hundred million dollars in damages.

Because the plaintiff is a prisoner, his complaint is subject to the screening required by 28 U.S.C. ' 1915A(b). Pursuant to this statute, "[a] complaint is subject to dismissal for failure to state a claim if the allegations, taken as true, show that plaintiff is not entitled to relief." *Jones v. Bock*, 127 S. Ct. 910, 921 (2007). That is precisely the case here, where the plaintiff's claim is barred by the defendant's undoubted judicial immunity. *See Mireles v. Waco*, 502 U.S. 9, 11-12 (1991)(judicial immunity can only be overcome in two circumstances: (1) when the actions were not taken in the judge's official capacity; or (2) if the action is taken in complete lack of jurisdiction).

For the reason explained above, the complaint fails to contain a legally viable claim against the defendant. Dismissal of the action pursuant to 28 U.S.C. ' 1915A(b) is therefore mandatory, *Gladney v. Pendleton Corr. Facility*, 302 F.3d 773, 775 (7th Cir. 2002), and judgment consistent with this Entry shall now issue.

IT IS SO ORDERED.

Date: 08/01/2012


Hon. Tanya Walton Pratt, Judge
United States District Court
Southern District of Indiana

Distribution:

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Indiana State Prison
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